

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE: JORGE L. RIVERA SANCHEZ MILAGOS FELIZ SANCHEZ DEBTOR(S)	CASE NUMBER: 10-03558 BKT CHAPTER 13 ASSET CASE
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DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. Debtor's had some extraordinary medical expenses and they made all adjustments necessary of their income in order to comply with their duties as chapter 13 debtors.

3. Debtors amend plan call tow (2) payments of \$550.00, one (1) payment of \$0.00, six (6) payments of \$550.00, one (1) payment of \$0.00, one payment of \$360.00, one (1) payments of \$550.00, one (1) payment of \$555.00, one payment of \$0.00, one (1) payment of \$450.00, one (1) payment of \$0.00 and forty three (43) payments of 525.00 for a total base of \$~~28,890.00~~ ^{28,890.00} dollars with a provision for the payment to paid secured arrears to Doral Financial, account ending number-3582 and Doral Financial, account ending number-3583.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are notified the have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificated of service by the movant that adequate notice was given. Should and apposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 8th, day of September 2011.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega
MARILYN VALDES ORTEGA

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United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. **10-03558 BKT**

RIVERA SANCHEZ, JORGE LUIS & FELIX SANCHEZ, MILAGROS

Chapter **13**

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☒ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED:

☐ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: **9/08/2011**

Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ **550.00** x **2** = \$ **1,100.00**
\$ **0.00** x **1** = \$ **0.00**
\$ **550.00** x **6** = \$ **3,300.00**
\$ **0.00** x **1** = \$ **0.00**
\$ **360.00** x **1** = \$ **360.00**
SEE ATTACHMENT = \$ **24,130.00**
TOTAL: \$ **28,890.00**

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ **28,890.00**

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ **2,994.00**

ADDITIONAL FEES \$ **350.00**
TOTAL FEES \$ **3,344.00**

Signed:

Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☐ Trustee pays secured ARREARS:

Cr.	Cr.	Cr.
#	#	#
\$	\$	\$

2. ☒ Trustee pays IN FULL Secured Claims:

Cr.	Cr.	Cr.
#	#	#
\$ 7419	\$	\$
\$ 14,003.00	\$	\$

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr.	Cr.	Cr.
#	#	#
\$	\$	\$

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☐ Debtor otherwise maintains regular payments directly to:

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other:

Cr.	Cr.	Cr.
#	#	#
\$	\$	\$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Exercutory contracts; payment of interest to unsecureds, etc.)
See Continuation Sheet

Attorney for Debtor **Marilyn Valdes Ortega Law Offices**

Phone: **(787) 758-4400**

CHAPTER 13 PAYMENT PLAN

Debtor(s)

CHAPTER 13 PAYMENT PLAN

Continuation Sheet - Page 1 of 1

TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.

ANY POST PETITION TAX RETURNS THAT MAY PROSPECTIVELY ARISE FROM ANY TAX REFUND FOR THE DURATION OF THE PLAN WILL BE USED AS NEEDED TO FUND THE PLAN IN ORDER TO MAXIMIZE THE DISTRIBUTION TO GENERAL UNSECURED CREDITORS, AFTER ITS CONFIRMATION AND WITHOUT THE NEED FOR ANY FURTHER NOTICE, HEARING OR COURT ORDER, THE PLAN SHALL BE DEEMED MODIFIED BY THE INCREMENT(S) TO ITS BASE.

TRUSTEE TO PAY ADEQUATE PROTECTION TO FIRST BANK IN THE MONTHLY AMOUNT OF \$185.00 UNTIL CONFIRMATION OF THE PLAN.

CONT. SCHEDULES PAYMENT PLAN

\$550.00 X 1 = \$ 550.00

\$555.00 X 1 = \$ 555.00

\$ 0.00 X 1 = \$ 0.00

\$450.00 X 1 = \$ 450.00

\$ 0.00 X 2 = \$ 0.00

\$525.00 X 43 = \$22,575.00

TOTAL = \$24,130.00

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

11-03558-BKT13 Notice will be electronically mailed to:

JOSE RAMON CARRION MORALES
newecfmail@chl3-pr.com

MONSITA LECAROS ARRIBAS
ustpregion21.hr.ecf@usdoj.gov

MARILYN VALDES ORTEGA on behalf of Debtor
valdeslaw@prtc.net

I HEREBY CERTIFY: That I have mailed by regular mail to all creditors listed.

11-03558-BKT13 Notice will not be electronically mailed to:

CitiFinancial Inc
P.O. Box 70919
Charlotte NC 28272-0919

CITIFINANCIAL PLUS
PO BOX 71325, SUITE 67
SAN JUAN, PR 00936

CITIFINANCIAL RETAIL SERVICES DE PR
PO BOX 71328
SAN JUAN, PR 00936-8428

CLARO
PO BOX 360998
SAN JUAN, PR 00936

DEPARTAMENTO DE HACIENDA
PASEO COVADONGA, NUM. 10
EDIF. INTENDENTE RAMIREZ
SAN JUAN, PR 00902-4140

DEPARTAMENTO DEL TRABAJO
AVE. MUÑOZ RIVERA 505
HATO REY, PR 00918

FEDERAL LITIGATION DEPT OF JUSTICE
PO BOX 9020192
SAN JUAN, PR 00902-0192

FIRST BANK PUERTO RICO
DEPARTAMENTO DE AUTOS
PO BOX 13817
SAN JUAN, PR 00908-3817

FIRST PREMIER BANK
PO BOX 5524
SIOUX FALLS, SD 57117-5524

GE MONEY BANK
SAM'S CLUB
PO BOX 530942
ATLANTA, GA 30353-0942

GE MONEY BANK
WALMART
PO BOX 530927
ATLANTA, GA 30353-0927

ISLAND FINANCE
130 EXP. MARTINEZ NADAL 103
GUAYNABO, PR 00969

LEONEL & ASOCIADOS, P.S.C
PO BOX 366220
SAN JUAN, PR 00936-6220

OPERATING PARTNERS CO., INC.
PO BOX 194499
SAN JUAN, PR 00919

PR ACQUISITIONS LLC
250 MUNOZ RIVERA AVENUE SUITE 1200
HATO REY PR 00918

SEARS CREDIT CARDS
P.O. BOX 183081
COLUMBUS, OH 43218-3081

WESTERN AUTO
PO BOX 609
MEMPHIS, TN 38101-0609